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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

UNITED STATES OF AMERICA,

Plaintiff,

v.

Aquino ROJAS-Salcedo
AKA Enrique RUBALCABA
AKA Abel ARRELLANO-GONZALEZ

Defendant.

Magistrate Case No. 08 JUN 08 MJ 1939

COMPLAINT FOR VIOLATION OF:

Title 8, U.S.C., Section 1326;
Deported Alien Found in the
United States

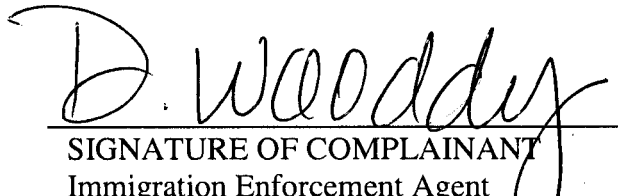
CP

DEPUTY

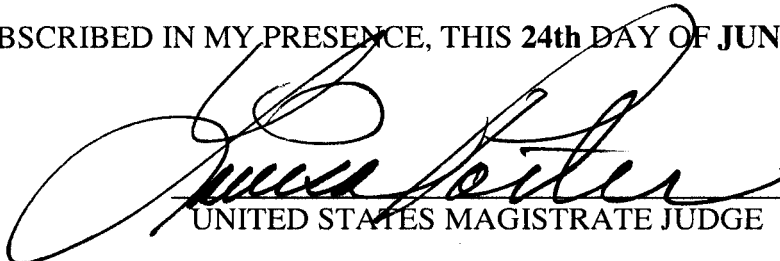
The undersigned complainant, being duly sworn, states:

On or about **June 18, 2008**, within the Southern District of California, defendant, **Aquino ROJAS-Salcedo (AKA Enrique RUBALCABA; AKA Abel ARRELLANO-GONZALEZ)**, an alien who previously had been excluded, deported and removed from the United States to Mexico, was found in the United States without the Attorney General of the United States, or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States, in violation of Title 8, United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.


SIGNATURE OF COMPLAINANT
Immigration Enforcement Agent
Immigration & Customs Enforcement

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **24th** DAY OF **JUNE, 2008**.


UNITED STATES MAGISTRATE JUDGE



PROBABLE CAUSE STATEMENT

On June 18, 2008, a Police Officer with the Escondido Police Department arrested the defendant, Abel ARRELLANO-Gonzalez; AKA: Aquino ROJAS-Salcedo; AKA: Enrique RUBALCABA; for PC 853.7, "Failure to Appear after Written Promise". The defendant was booked under the name, "Enrique RUBALCABA", and an Immigration Enforcement Agent subsequently determined the defendant to be a citizen of Mexico and placed a Form I-247 (Immigration Detainer).

On June 23, 2008, the defendant was referred to the custody of United States Immigration and Customs Enforcement (ICE) at San Diego, California. A Deportation Officer conducted computer database record checks and reviewed various sources of information confirming the defendant to be a citizen of Mexico having been deported or removed from the United States.

A review of official immigration computer database record checks and information contained in the Alien Registration file revealed the defendant was most recently ordered deported from the United States by an Immigration Judge on or about September 21, 2005, and removed to Mexico on September 21, 2005, via the San Ysidro, Port of Entry. Record checks further indicate that the defendant has not applied to the Attorney General of the United States or the Secretary of the Department of Homeland Security for permission to re-enter the United States.

The Automated Biometric Fingerprint Identification System (IDENT) was utilized and compared the defendant's fingerprints to those contained in this database. The results confirmed his prior removals and deportations to Mexico. A photograph and a set of fingerprints contained within the official Alien Registration File were also reviewed and compared to the defendant, further confirming his identity.